IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1751 OF 2005

Sanjay Bhagwan Mane ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr.Ganesh Gole i/b Rajeev Sawant & Associates for Applicant.

Mr.K.V.Saste, A.P.P. for Respondent.

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CORAM: A.M.KHANWILKAR, J.

MARCH 23, 2005.

P.C.

1. Heard Counsel for the parties. Perused the record.

2. As there is direct evidence to indicate the complicity of the Applicant in the commission of the crime, which is supported by the version of the complainant as well as other witnesses that the Applicant inflicted stab blow injuries to Sudhir

Pahadi, brother-in-law of the complainant, the argument that the incident took place on the spur of the moment and the Applicant only retaliated the attack on the Applicant party, does not impress me.

3. Not a case for bail. No reason to depart from the conclusion reached by the lower Court for rejecting the Bail Application of the present Applicant. So far as other accused are concerned, their role is different. Hence, dismissed.

4. As prayer for bail is rejected, Sessions Judge, Thane, is directed to assign the trial to the Fast Track Court, if already not done, to ensure early disposal of the trial as ‘High Court Expedited Case’.

5. Application disposed of accordingly.

A.M.KHANWILKAR, J.